	ISCLAIMER TO OBVIATE A REJECTION OVER A PRIOR		Docket Number (Optional) 23488-09172			
n re Application of:	Jules Gauthier, et al.	The second second				
Application Serial No.:	09/484,548	JUL 0 5 2005				
Piled:	June 18, 2000	Reper				
For:	Microwave Ablation Instrument v	with Flexible Antenna Assembly and Met	hod			
The owner, AFX, Inc.*, of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the xpiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,471,696. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.						
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321; has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.						
Check either box 1 or 2 below, if appropriate.						
For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.						
on information and belief a alse statements and the like	re believed to be true; and further, the so made are punishable by fine or i	rein of my own knowledge are true and t nat these statements are made with the kn imprisonment, or both, under Section 100 eopardize the validity of the application of	owledge that willful 01, Title 18 of the			
2. The undersigned is a	n attorney of record.					
	29/05 ate	Signature Albert C. Smith, Reg. No.	20,355			
		Typed or printed r				
☐ Terminal Disclaimer fee under 37 CFR 1.20(d) included						
Fee Transmittal in	cluded	<i>,</i>				
☑ PTO suggested wo	ording for terminal disclaimer was	•	·			
unchanged	changed (if changed	l, an explanation should be supplied).				
Certificate under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee						

[Page 1 of 1]

TRANSMITTAL Complete if Known **Application Number** 09/484,548 Filing Date June 18, 2000 for FY 2005 Jules Gauthier First Named Inventor Patent fees are subject to annual revision. **Examiner Name** David J. Isabella Applicant claims small entity status. See 37 CFR 1.27 3738 Art Unit 23488-09172 (formerly FMT1 P025) **TOTAL AMOUNT OF PAYMENT** (\$) 130 Attorney Docket No.

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)					
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None ☐ Deposit Account:		3. ADDITIONAL FEES					
Deposit Account Number 19-2555	Le	arge Entity	Small E	ntity	Fee Description	Fee Paid	
Deposit Account Name Fenwick &	vvestuP I	ee Fee	Fee Code	Fee (\$)			
The Commissioner is authorized to: (check all that apply) Charge fee(s) indicated below Credit any overpayments Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this		051 130 052 50 053 130	2051 2052 1053	65 25 130	Surcharge - late filing fee or oath or declaration Surcharge - late provisional filing fee or cover sheet Non-English specification		
application Charge fee(s) indicated below, except for the filing fee to		812 2,520 804 920* 805 1,840*	1804	2,520 920* 1,840*	For filing a request for ex parte reexamination Requesting publication of SIR prior to Examiner action Requesting publication of SIR after Examiner action		
the above-identified deposit account. FEE CALCULATION		251 120	2251	60	Extension for reply within first month		
BASIC FILING FEE Large Entity Small Entity	12	252 450 253 1020	2252 2253	225 510	Extension for reply within second month Extension for reply within third month		
Fee Fee Fee Fee Descript Code (\$) Code (\$)	12	254 1,590 255 2,160 401 500	2254 2255 2401	795 1,080 250	Extension for reply within fourth month Extension for reply within fifth month Notice of Appeal		
·	14	402 500 403 1000	2402 2403	250 500	Filing a brief in support of an appeal Request for oral hearing		
· ·		451 1,510 452 500	1451 2452	1,510 250	Petition to institute a public use proceeding Petition to revive - unavoidable		
SUBTOTAL (1)	2) 00	452 500 453 1,500	2453	750	Petition to revive - unintentional		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		501 1,400	2501	700	Utility issue fee (or reissue)		
Extra Claims Fee from below		502 800	2502	400	Design issue fee		
Total Claims -20**= X	= 0 15	503 1100	2503	550	Plant issue fee		
Independent ClaimsX	= 0 14	460	1460	_	Petitions to the Director		
Multiple Dependent	= 0 18	807 50	1807	50	Processing fee for Provisional Applications		
Large Entity Small Entity	1	806 180	1806	180	Submission of Information Disclosure Stmt		
Fee Fee Fee Fee Fee Code (\$) Fee Description	<u>on</u> 80	021 40	8021	40	Recording each patent assignment per property (times number of properties)		
1202 50 2202 25 Claims in exce	ss of 20	809 790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))		
1201 200 2201 100 Independent cl	aims in excess of 3	810 790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))		
1203 360 2203 180 Multiple depend	dent claim, if not paid	801 790	2801	395	Request for Continued Examination (RCE)		
1204 200 2204 100 **Reissue inde original pater	pendent ciaims over	802 900	1802	900	Request for expedited examination of a design application		
1205 50 2205 25 **Reissue clain and over origi	Other fee (specify) Terminal Disclaimer						
SUBTOTAL (2)	3) .00				SUBTOTAL (3) (\$) 130		
··or number previously paid, if greater; For Reis	sues, see above *R	Reduced by Basi	c Filing Fe	ee Paid			

SUBMITTED BY				Complete (if applicable)
Name (Print/Type)	Albert C. Smith	Registration No. (Attorney/Agent) 20,355		Telephone (650) 335-7296
Signature	a	.C. Smeth	Date	20/05/2